



SBAITI & COMPANY

A TEXAS PROFESSIONAL LIMITED LIABILITY COMPANY

December 15, 2021

Via E-File

Honorable Gregory H. Woods
U.S. District Judge
Southern District of New York
500 Pearl Street, Room 2260
New York, NY 10007

Re: *Nexpoint Strategic Opportunities Fund v. Acis Capital Management, L.P., et al*, Cause No. 1:21-cv-04384-GHW, In the United States
District Court, Southern District of New York

Dear Judge Woods:

I write as lead counsel for the Plaintiff. We just received your notice granting the non-Plaintiff parties' pre-motion letter requests for a pre-motion conference. Prior to receiving that notice, we sent a meet-and-confer email request to counsel for those parties requesting an extension until December 30th to respond to the four pre-motion letters. Having not yet heard from any counsel (except for an out-of-office email from Mr. Hegt advising that he is in trial this week) and in light of the Court's conference setting, I am sending this letter now to formally request that the Court (i) give Plaintiff until December 30, 2021, to respond to the pre-motion letters, and (ii) continue its December 22nd conference until after the filing of Plaintiff's responses.

While normally, the Court's rule allows for five (5) days to respond to a single three-page letter, because of the obvious coordination of the moving parties, I have five days to respond to *four* such letters—each raising unique arguments and requiring somewhat particularized responses; in one case, Intervenor did not follow the Court's rule and instead incorporated by reference an entire brief. Suffice it to say, even setting aside my existing deadlines this week, five days' time is substantially compressed to respond to the work of a dozen lawyers, much less to do so pithily, thoughtfully and conscientiously.

Additionally, undersigned has a pre-planned family vacation beginning Friday, December 16th, through the middle of next week. Like any professional, I will attend the conference if it is not moved, but I would ask, in light of the need for more time to respond anyway, that the Court consider moving the conference until after the proposed response date.

Honorable Gregory H. Woods
December 15, 2021
Page Two

Yours very truly,

/s/ Mazin A. Sbaiti

Mazin A. Sbaiti

cc: All Counsel of Record (via E-File)